

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-014134

01/02/2003

HONORABLE EDDWARD BALLINGER, JR.

CLERK OF THE COURT
E. Hill
Deputy

FILED: 01/03/2003

STATE OF ARIZONA

JOSHUA DAVIDSON

v.

EDDIE HERNANDEZ
DOB: 01/24/1975

JOHN JUSTIN MCGUIRE

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

State's Attorney:	Joshua Davidson
Defendant's Attorney:	Pat Shaler
Defendant:	Present
Court Reporter:	Sharon Jeffers

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 7: Aggravated Assault
Class 3 Felony

A.R.S. § 13-1204(A)(2), (B), 1203(A)(2), 604, 701, 702, 702.01, 801, and 3105

Date of Offense: 12/25/2000

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

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OFFENSE: Count 8: Unlawful Flight From Law Enforcement Vehicle
Class 5 Felony
A.R.S. § 28-622.01, 624(C), 3304, 3305, 3315, 13-701, 702, 702.01, and 801
Date of Offense: 12/25/2000
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 7: 7.5 year(s) from 01/02/2003
Presentence Incarceration Credit: 133 days
Presumptive
Sentence is concurrent with Count 8 and CR2002-015581.

Count 8: 1.5 year(s) from 01/02/2003
Presentence Incarceration Credit: 133 days
Presumptive
Sentence is concurrent with Count 7 and CR2002-015581.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION:

Payment shall be 30% of Defendant's earnings while incarcerated at the Arizona Department of Corrections.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

The Court retains jurisdiction in this matter regarding restitution.

IT IS ORDERED setting Restitution Hearing in this matter on 02/07/2003 at 2:30 p.m. in this division. Defendant's presence is waived at the Restitution Hearing.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED granting the Motion To Dismiss the following: Counts 1, 2, 3, 4, and 6.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

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IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR2002-014134.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE EDDWARD BALLINGER, JR.
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)